

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RENARD T. POLK,

Plaintiff,

v.

KELLY BELANGER, *et al.*,

Defendants.

3:14-cv-00073-MMD-VPC

MINUTES OF THE COURT

April 23, 2015

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court is a filing by plaintiff captioned as a motion to strike defendants' motion for summary judgment and/or a cross-motion for summary judgment (#36).

Two separate sources of authority empower this court to strike a motion. First, pursuant to Federal Rules of Civil Procedure, the "court may strike from a pleading . . . any redundant, immaterial, impertinent, or scandalous matter." Fed. R. Civ. P. 12(f). Rule 12(f) motions are drastic remedies and, as such, are generally disfavored by federal courts. *Chan v. Pan W. Corp.*, No. 2:10-cv-1317-KJD-PAL, 2011 WL 830237, at *1 (D. Nev. Mar. 4, 2011). The Rule identifies four particular bases for a motion to strike. "Redundant" matters are duplicative and repetitive. "Immaterial" matters are those that have "no bearing on the controversy before the court." *Id.* "Impertinent" matters are those that "are not responsive to the issues that arise in the action" *Id.* A matter is "scandalous" when it casts a "cruelly derogatory light on a party or other person." *Id.*

Second, the court may strike an improper filing under its "inherent power over the administration of its business." *Spurlock v. F.B.I.*, 69 F.3d 1010, 1016 (9th Cir. 1995); *see also Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991) (inherent powers are tools for "control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases"). Motions to strike under the inherent power, as with Rule

By: /s/
Deputy Clerk